

109TH CONGRESS
1ST SESSION

H. RES. 310

Raising a question of the privileges of the House.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2005

Ms. PELOSI submitted the following resolution; which was laid on the table

RESOLUTION

Raising a question of the privileges of the House.

Whereas, in 1968, in furtherance of its constitutional authority and to promote the highest ethical standards for Members of Congress, the House of Representatives established the Committee on Standards of Official Conduct;

Whereas the ethics procedures in effect during the 108th Congress, and in the three preceding Congresses, were enacted in 1997 in a bipartisan manner by an overwhelming vote of the House of Representatives upon the bipartisan recommendation of the ten-member Ethics Reform Task Force, which conducted a thorough and lengthy review of the entire ethics process;

Whereas rule XI, clause 3(g) of the Rules of the House, first adopted in 1997 upon the recommendation of the task force, provides that the Committee “staff be assembled

and retained as a professional non-partisan staff” and “[a]ll staff members shall be appointed by an affirmative vote of the majority of the Members of the Committee”;

Whereas rule XI states that each such staff person “shall be professional and demonstrably qualified for the position which he is hired” and is prohibited from engaging in “any partisan political activity directly affecting any congressional or presidential election”;

Whereas rule XI also provides that, “in addition to any other staff provided by law, rule or other authority”, the Chair and Ranking Minority Member may each appoint, without a vote of the Committee, one person as a shared staff member from his or her personal staff to perform service for the Committee; and further provides such shared staff persons are exempt from the provision requiring that “the staff be assembled and retained as a professional, nonpartisan staff” and the provision stating that “no member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election”;

Whereas, from 1997 through 2004, the Staff Director/Chief Counsel and other professional staff were appointed by an affirmative vote of a majority of the members of the Committee, and the shared staff members exercised no supervisory or other authority over the professional staff;

Whereas, in January of 2005, the Chairman of the Committee improperly and unilaterally fired nonpartisan Committee staff;

Whereas the Chairman now proposes to designate his shared staff person as the Committee Staff Director, clothed

with supervisory authority, without subjecting him to a vote of the Committee;

Whereas, because of the Chairman's proposal and with nearly half of the First Session of the 109th Congress having expired, the Committee has been unable to carry out its charge, set out in rule XI, to investigate allegations of misconduct by Members and staff; and

Whereas the Committee's resulting inability to carry out its duties has subjected the House to public ridicule and produced contempt for the ethics process, thus bringing discredit to the House: Now, therefore, be it

1 *Resolved*, That the Committee on Standards of Offi-
 2 cial Conduct is hereby directed to proceed in accord with
 3 clause 3(g) of rule XI, to appoint, upon an affirmative
 4 vote of the majority of the Members of the Committee,
 5 a non-partisan professional staff.

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